

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

September 18, 2017

The regular meeting of the Board of Trustees was called to order at 7:00 P.M., with the Pledge of Allegiance, at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

Mayor Brendan G. Coyne
Deputy Mayor Mark J. Edsall
Trustee James P. Kane
Trustee David Carnright
Trustee Kenneth A. Schmidt

Also present were: DPW Superintendent David Halvorsen, Water Superintendent Robert June, Code Enforcement Officer Ben Maggio, Attorney for the Village Joseph McKay, and Village Clerk Jeanne Mahoney.

A Moment of Silence was observed in honor of John “Jack” Edsall who passed away on September 6th. Mr. Edsall, father of Deputy Mayor Mark J. Edsall, was a mainstay in the community and longtime member of Highland Engine Company.

Mayor Coyne announced that there is a binder on the back table for anyone interested in looking at resolutions and meeting-related documents that will be discussed this evening.

PUBLIC COMMENT

No one from the public wished to speak.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Village of Washingtonville Mayor Joseph Bucco thanking Deputy Village Clerk Mary Ellen Dennett for her assistance with folding their water bills last quarter which saved them “countless hours of manually stuffing envelopes”.
- Note from Cornwall Presbyterian Church announcing that the annual “Apple Time Fair” will be held on Saturday, October 14th.
- Letter from the NYS Department of Public Service regarding Central Hudson’s request to the NYS Public Service Commission to approve proposed increases in its electric and gas delivery rates.

MINUTES

Mayor Coyne made a motion to accept the August 14, 2017 Special Meeting Minutes as presented which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion to accept the August 21, 2017 Business Meeting Minutes as presented which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

TREASURER'S REPORT

The open utility balances report for the end of August read as follows:

Village water, sewer, garbage & penalties	\$358,313.18
Town water & penalties	218,921.59

which included 7 finals/adjustments for the Village and 13 for the Town.

Warrant #9 - Mayor Coyne made a motion to approve the September 2017 Warrant #9 and authorize payment totaling \$459,478.22, which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported that the Village is in receipt of \$4,117,585.12 (55.66%) in anticipated revenues and \$2,997,413.69 (40.52%) in anticipated expenditures through the end of August.

The amount collected in Village taxes is \$2,709,317.92 through August 31.

The Sewer Capital Fund balance is \$180,837.09 (including interest) through August 31.

Ms. Mahoney further reported that Nugent & Haeussler, the Village auditors, has prepared and filed the Annual Update Document (AUD) with the NYS Comptroller’s Officer. They have also prepared the Annual Financial Statement for fiscal year ending February 28, 2017.

CREDIT/DEBIT CARD PAYMENTS

Upon the recommendation of Treasurer Mahoney, Deputy Mayor Edsall made a motion authorizing Mayor Coyne to execute necessary Payment Processing Agreements with Value Payment Systems to provide a credit/debit card payment system on behalf of the Village. This service will be at no cost to the Village. Interested customers will pay a fee of 2.45% per transaction. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

BUDGET TRANSFER

Ms. Mahoney reported that the printer for our Historian recently had to be replaced at a cost of \$521.70 (including a three-year extended warranty). Currently there is not enough money in the Historian's Expense line to cover this unanticipated expense.

Mayor Coyne made a motion authorizing a budget transfer of \$521.70 from General Fund Expenditure – Contingency (A1990.4) to General Fund Expenditure – Historian Expense (A7510.4). The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

BOARD DEPARTMENT REPORTS

Building Department Trustee Schmidt reported 10 building permits were issued, 12 certificates of compliance/occupancy were issued, 35 onsite inspections were performed, 11 violations were issued (7 Derby Lane-electrical issue and existing property maintenance, 6 Hirle St.-open building permit, 2 Cornwall Ave-property maintenance, 286 Hudson St-trim bushes off roadway, 11 First St-trim bushes off roadway, 3 Avenue A-fence without permit, 350 Hudson St.-Vet Office/property maintenance, 9 Bayview Terrace-high grass, 164 Hudson St-trim tree in View Preservation District, and 22 Duncan Ave-deck without permit), 1 fire inspection was conducted, and 3 municipal searches were completed. Inspector Maggio worked 80 hours in August.

Fire Department Deputy Mayor Edsall reported 1 automatic alarm, 8 medical calls, 1 mutual aid, 2 hazardous conditions, 1 public service call, 3 meetings, 11 drills, 1 workplace violence training, 1 public relations detail, 1 funeral detail, 2 fire prevention details, and 4 work details for a total of 36 events and 492.11 volunteer man hours.

Deputy Mayor Edsall further reported that the fire company will participate in the Annual Orange County Parade in Sparrowbush (Ulster County Highland Fire District will be standing by), boat 416 remains out of service (repair parts has been ordered), and approval process of the \$190,000 NYS grant continues. The department has received three new Junior Members: Janine Clancy, Jacob Teague, and Kevin McKiernan.

Police Department Trustee Kane reported 4 misdemeanor arrests, 1 violation arrest, 5 property damage accidents, 38 traffic summons issued, 23 traffic warnings issued, 15 parking summons issued, 6 traffic enforcement posts, 2 fire response calls, 3 domestic incident calls, 9 alarm response calls, 1 noise complaint, 11 suspicious vehicle calls, 4 suspicious activity calls, 4 animal complaints, 1 disorderly adult call, 1 disorderly juvenile call, 18 assists to the Town of Cornwall Police Department, 11 EMS assist calls, 4 assists to other agencies, 3 welfare checks, and 2 assists to citizens for a total of 414 total calls for service.

Trustee Kane further reported that the police department continued participation in the Orange County "STOP-DWI" traffic enforcement grant.

BUDGET TRANSFER

Trustee Kane reported that a Radar Speed Sign was purchased in the amount of \$2,735.00. Police Chief Dixon is requesting a budget transfer to pay for this unbudgeted expense.

Mayor Coyne made a motion authorizing a budget transfer of \$2,735.00 from General Fund Expenditure – Contingency (A1990.4) to General Fund Expenditure – Police Expense (A3120.4). The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

DETECTIVE VACANCY

Mayor Coyne reported that interviews for the detective vacancy are tentatively scheduled for Monday October 2 before the work session.

Department of Public Works — Trustee Carnright reported 111.36 tons of trash, 31.13 tons of recycling, and 55 yards of yard waste was collected. In addition, the department continued mowing and trimming of Village-owned properties, repairs and maintenance of Village-owned vehicles, catch basin cleaning and repairs, sweeping of streets, blacktop patching, root control maintenance on 4000 feet of sewer main, trimmed trees and brush in areas to be paved, repaired guide rail on Barr Ave, River Ave and Shore Rd, and repaved section of Deer Hill Rd where new drainage was installed.

DUNCAN AVENUE

Trustee Carnright further reported that reclamation of Duncan Avenue started on September 5. The tentative start date for paving work is October 3.

ADA SIDEWALK RAMP – ROUTE 218 NEAR CORNWALL-ON-HUDSON ELEMENTARY SCHOOL

DPW Superintendent Halvorsen reported that Nannini & Callahan is coordinating a start date with school officials for creation of ADA compliant ramps from the sidewalk onto both sides of Hudson Street/Route 218 in front of Cornwall-on-Hudson Elementary School to improve safety for the children at the road crossing.

Water Department — Trustee Schmidt reported an average daily production of 855,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 70). A total of 15 meters were replaced, 17 miscellaneous repairs were completed, 83 utility mark outs were completed, and 15 final meter readings were done. The department repaired a 10” valve at 315 Hudson St, a curb box at 47 Avenue A, a 4” valve at 155 Duncan Ave, a 6” valve at 55 Duncan Ave, a 6” valve at Stillman Ave and Roe Ave intersection, a 10” valve at 38 Continental Rd, and installed a new fire hydrant at 10 Rose Hill Park Dr. In addition all reservoirs were inspected, started inspection and painting of fire hydrants, inspected all pressure reduction valves (PRV’s), performed routine property maintenance, completed workplace violence training, and completed training with Hudson Valley Water Works in Pine Bush.

CONTINUED PUBLIC HEARING/RESOLUTION OF ADOPTION

A LOCAL LAW AMENDING CHAPTER 172-70 AND CHAPTER 172-48.3 OF THE CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON REGARDING ACCESSORY APARTMENTS

Proof of Notice, Affidavit of Posting and Publication having been furnished, the Continued Public Hearing on a Local Law Amending Chapter 172-70 and Chapter 172-48.3 of the Code of the Village of Cornwall-on-Hudson Regarding Accessory Apartments was called to order at 7:15 PM on a motion by Mayor Coyne, seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne reported that the Public Hearing was continued until this evening in order to receive written comments from the Orange County Planning Department, Village Planning Board and Comprehensive Plan Committee. The Village Planning Board Chairman provided comments earlier today suggesting minor revisions to the proposed law. Mary Aspin of the Comprehensive Plan Committee recommended no changes.

Attorney for the Village McKay reported that the Orange County Planning Department response to our initial 239-m referral was that this was a “local determination” and they had no comments for the Board to adopt. After the Board determined this to be a Type 1 Action under that State Environmental Quality Review (SEQR) at the August business meeting, the draft long Environmental Assessment Form (EAF) was sent to Orange County Planning Department for review and comment. No response has yet been received to that referral. Mr. McKay suggested that if the Village Board decides to adopt this proposed local law tonight, the Clerk not file the law with the NYS Secretary of State until a response from the county planning department is received.

Deputy Mayor Edsall stated that in response to Planning Board Chair Jeff Small’s input, the suggested revisions are minor. The Village Board can “tweak” the law in the future when it looks at overall zoning amendments as part of the new comprehensive plan.

Deputy Mayor Edsall made a motion to accept parts 2 and 3 of the long Environmental Assessment Form (EAF) prepared by the Attorney for the Village. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

RESOLUTION OF ADOPTION - A LOCAL LAW AMENDING CHAPTER 172-70 AND CHAPTER 172-48.3 OF THE CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON REGARDING ACCESSORY APARTMENTS

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Cornwall-on-Hudson on July 17, 2017, scheduling a public hearing to be held by said Governing Body on August 21, 2017 at 7:00 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York to hear all interested persons on a proposed local law entitled “A Local Law to amend Chapter 172-70 and Chapter 172-48.3 of the Code of the Village of Cornwall-on-Hudson; and

WHEREAS, notice of said public hearing was duly advertised in The Cornwall Local, the local newspaper of general circulation of said Village; and

WHEREAS, said public hearing was duly held on August 21, 2017 and continued on September 18, 2017, at or about 7:00 p.m. at the Village of Cornwall-on-Hudson Village Hall, and all parties in

attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, notice of said Local Law was provided to the County Planning Department in accordance with General Municipal Law Section 239(m); and

WHEREAS, the Board of Trustees is the Lead Agency with respect to the consideration, review and determination of the significance of the aforementioned legislative action pursuant to the State Environmental Quality Review Act (SEQRA) regulation section 617.6(b)(1); and

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that pursuant to part 617.5(c)(30) of the implementing regulations of Article 8 of the New York State Environmental Quality Review Act (SEQRA), the adoption of said proposed Local Law is a Type I action under SEQRA; and be it further

RESOLVED, that the Village Board finds that the proposed local law has no significant adverse environmental impacts and issues a negative declaration thereon, and that the adoption of the proposed local law is in the best interests of the residents of the Village; and be it further

RESOLVED, that the Village Board of the Village of Cornwall-on-Hudson hereby adopts said Local Law No. 4 of 2017 of the Village of Cornwall-on Hudson, entitled “A Local Law to amend Chapter 172-70 and Chapter 172-48.3 of the Code of the Village of Cornwall-on-Hudson, New York,” a copy of which is attached hereto and made a part of this resolution; and be it further,

RESOLVED, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Cornwall-on-Hudson, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

WORKPLACE VIOLENCE PREVENTION TRAINING

Mayor Coyne is in receipt of an email from the NYS Department of Labor indicating that a final inspection will be scheduled now that all citations have been abated. Mayor Coyne is pleased with the level of cooperation received from all the employees. The third workplace violence prevention training class will be scheduled for some time in October.

FEDERAL TAX RETURNS: DEDUCTIBILITY OF STATE AND LOCAL TAXES

Mayor Coyne reported that there is a legislative proposal in Washington that will no longer allow local and state taxes as well as home mortgage deductions to be taken off federal returns. He tabled this item for additional discussion at the October 2nd work session.

EQUIFAX HACK

Mayor Coyne reported that there is a recommendation from the NYS Attorney General for people to look at their accounts to see if they have been “hacked”. Residents need to be cautious of websites offering help which may result in deeper problems.

BLACKROCK WATER TREATMENT PLANT CLEARWELL: BILLS

Mayor Coyne tabled discussion on this item for Attorney-Client session later this evening.

SAFETY COMMITTEE

Mayor Coyne reported that the current CSEA contract contains a provision regarding formation of a Safety Committee. He has been in contact with Brian Pomeroy from CSEA for assistance.

COMPREHENSIVE PLAN COMMITTEE – UPDATE

Mayor Coyne announced that the next meeting of the Comprehensive Plan Committee will be on September 28, 2017. In addition Mayor Coyne announced that the Orange County Planning Department is also updating it’s Comprehensive Plan and has placed yard signs throughout the county seeking public input.

ABILITIES FIRST SCHOOL

Mayor Coyne reported that Abilities First School has signed a 1-year lease with St. Thomas St. Joseph School to provide classrooms until their permanent location in New Windsor is ready. This school provides education and training to children and young adults with developmental problems.

RIVERFRONT COMMITTEE

Mayor Coyne reported that Village resident David Work has offered to help revitalize the Riverfront Committee.

MOVIES ON HUDSON

Mayor Coyne reported that he attended the showing of “Ferris Bueller’s Day Off” this past Saturday evening. It was a lovely night and he thanked Mike Trainor and the committee for their efforts. Mayor Coyne is looking forward to this community event continuing next year.

SIGN FOR VILLAGE MUSEUM

Mayor Coyne reported that the Village Historian has requested a Village Museum sign be placed outside Village Hall.

ASSOCIATION OF TOWNS, VILLAGES AND CITIES

Mayor Coyne reported that the Village of Cornwall-on-Hudson and Town of Cornwall will host the next meeting of Association of Towns, Villages and Cities at Painters Tavern on October 24, 2017 at 6:00 PM. He encouraged Village Board members to attend.

TREES FOR TRIBS

Mayor Coyne reported that a representative from the Department of Environmental Conservation (DEC) visited the Village a few weeks ago and determined that plantings from last year are “taking root”. He further reported that additional plantings on Dock Hill Road are under consideration.

NEW QUARTERLY MAGAZINE

Mayor Coyne reported that the first issue of a new quarterly magazine entitled “Cornwall” is now available.

FYI

UNDERGROUND RAILROAD

Mayor Coyne reported that Kathleen Christensen, the Village Historian hosted a presentation on the Underground Railroad on September 14. He attended the presentation which was very informative and thanked Ms. Christensen for her efforts.

CAR WASH

Mayor Coyne reported that the Cornwall Travel Baseball Team will hold a car wash on Saturday, September 30 in the Village Hall parking lot.

UPCOMING WEDDINGS AT DONAHUE MEMORIAL PARK AND VILLAGE BANDSTAND

Mayor Coyne reported that weddings will take place at the Village Bandstand on Saturday, September 23 and the gazebo at Donahue Memorial Park on October 7.

FALL BULK PICK UP

Mayor Coyne reported that the Village Fall Bulk Pickup will take place on October 16, 2017.

PHONE BOOK DELIVERY

Mayor Coyne reported that delivery of Yellowbook's Northern Orange County Directory will take place from November 6-17.

PUBLIC COMMENT

No one from the public wished to speak.

BOARD ACTIVITIES/COMMENTS

Trustee Kane offered his condolences to the Edsall family. It was nice to see Mr. Edsall at the riverfront every morning and he will be missed.

Trustee Schmidt offered his condolences again to the Edsall family on their loss. He is sure that Mr. Edsall would be very proud of his grandchildren.

Trustee Carnright also offered his condolences to the Edsall family. He has fond memories of Mr. Edsall, going back to his days working at the local A&P grocery store. Mr. Edsall was a "good guy" and a longtime public servant.

Deputy Mayor Edsall thanked everyone for their condolences and attending the funeral services. His dad was a member of Highland Engine for 60 years. In addition his dad appreciated the Village and enjoyed relaxing at the riverfront which he found to be peaceful.

Having concluded the business set before them, Deputy Mayor Edsall made a motion to adjourn the business meeting into a closed meeting at 7:50 P.M. to receive advice of counsel regarding legal issues involving the Maser contract for Black Rock Clearwell, potential litigation pertaining to the assessment of and tax bill for a water department property, a legal question regarding processing of payments, a disciplinary matter in the Water Department, and to receive a legal update regarding the Utility Pole law adoption. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.